



Entered on Docket  
August 23, 2010

  
Hon. Mike K. Nakagawa  
United States Bankruptcy Judge

WILDE & ASSOCIATES  
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U.S. Bank, National Association  
10-71870

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Patricia Carmody

Debtor.

BK-S-10-12850-mkn

MS Motion No. 31  
Date: July 28, 2010  
Time: 10:00 am

Chapter 13

**ORDER RE ADEQUATE PROTECTION**

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-petition arrearages currently due as follows:

4 Monthly Payments(s) at \$1,275.69 (April 1, 2010 - July 1, 2010)	\$5,102.76
4 Late Charge(s) at \$50.28 (April 1, 2010 - July 1, 2010)	\$201.12
Property Inspections	\$80.00
Corporate Advance	\$700.00
Motion for Relief Filing Fee	\$150.00
Attorneys Fees	\$750.00
Suspense Amount	(\$4.31)
Total	\$6,979.57

The total arrearage shall be paid in six monthly installments. Payments one through five (1-5) in the amount of \$1,163.27 shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month commencing with the August 20, 2010 payment and continuing throughout and concluding on or before December 20, 2010. The sixth final payment in the amount of \$1,163.22 shall be paid on or before January 20, 2011.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning with the August 1, 2010, payment, on Secured Creditor's Trust obligation, encumbering the subject Property, generally described as 8333 Dorado Bay Court, Las Vegas, NV 89128, and legally described as follows:

PARCEL I:

LOT EIGHTY TWO (82) IN BLOCK ONE (1), OF BISCAYNE BAY AS SHOWN BY MAP THEREOF ON FILE IN BOOK 40 OF PLATS, PAGE 46, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

PARCEL II:

NON-EXCLUSIVE EASEMENTS FOR ACCESS, INGRESS, DRAINAGE, AND MAINTENANCE, REPAIRS AND FOR OTHER PURPOSES, ALL AS DESCRIBED IN THE MASTER DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS AND RESERVATION OF EASEMENTS FOR DESERT SHORES RECORDED JUNE 1, 1988 IN BOOK 880601 AS DOCUMENT NO. 00011, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA OVER COMMON LANDSCAPE AREA LOTS NO. V AND X OF DESERT SHORES NO. 1, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 39 OF PLATS, PAGE 26, IN THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtor fails to make any payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be paid by the Debtors upon any reinstatement.


If upon the sixteenth (16th) day Debtors have failed to cure the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete possession thereof.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtor at least five business days' notice of the time, place and date of sale.

Submitted by:

WILDE & ASSOCIATES

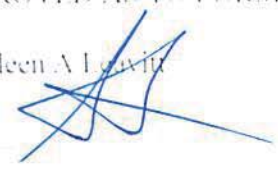
By

 #10235  
GREGORY L. WILDE, ESQ.  
Attorneys for Secured Creditor  
212 South Jones Boulevard  
Las Vegas, Nevada 89107

APPROVED AS TO FORM & CONTENT


Kathleen A. Leavitt

By

  
Kathleen A. Leavitt  
Chapter 13 Trustee  
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Las Vegas, NV 89101

Anthony V. Sorrentino

By

  
Anthony V. Sorrentino  
Attorney for Debtors  
11181 Carson Ave.  
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Nevada Bar No. 00870



1 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately  
2 reflects the court's ruling and that (check one):

3 ☐ The court has waived the requirements set forth in LR 9021(b)(1).

4 ☐ No party appeared at the hearing or filed an objection to the motion.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and  
6 any unrepresented parties who appeared at the hearing, and each has approved or  
7 disapproved the order, or failed to respond, as indicated below [list each property and  
8 whether the party has approved, disapproved, or failed to respond to the document]:

9 ☒ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the  
10 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the  
11 order.

12 Debtor's counsel:

13 ☒ approved the form of this order ☐ disapproved the form of this order

14 ☐ waived the right to review the order and/or ☐ failed to respond to the document

15 ☐ appeared at the hearing, waived the right to review the order

16 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

17 Trustee:

18 ☒ approved the form of this order ☐ disapproved the form of this order

19 ☐ waived the right to review the order and/or ☐ failed to respond to the document

20 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
21 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
22 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
23 respond, as indicated below.

24 Debtor's counsel:

25 ☐ approved the form of this order ☐ disapproved the form of this order

26 ☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ appeared at the hearing, waived the right to review the order

☐ matter unopposed, did not appear at the hearing, waived the right to review the order

Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor